

## BOOKIE KELLY HELD.

Justice Gaynor Overrules His Writ of Habeas Corpus.

Must Answer for Taking "Foreign" Bets at Flushing Track.

Racing at Whitestone Declared Off Until Next Monday.

Justice Gaynor handed down a decision in the Supreme Court, Brooklyn, this morning, in which he refuses to discharge Charles P. Kelly from custody on a writ of habeas corpus.

"Foreign" track question, had himself arrested a few days ago on a warrant, issued by a Queens County Justice of the Peace, charging him with violating the poeelsing laws by making book at the Flushing race track on the Jerome Park races.

Kelly claimed that he did not sell, record or register bets on the Jerome Park races, but as he had been to Jerome Park on the day of his arrest, he bought a ticket on one of the races and sold it on the Flushing track, Justice Gaynor, in his memorandum, says that it is clear that Kelly intended to evade the law.

No Races at Whitestone. WHITESTONE, Aug. 21.—The Whitestone Jockey Club has declared its races off until Aug. 27.

MUST RACE SATURDAY. The Cape May Cup to Be Defended by Mr. Clark's Cutler.

LONDON, Aug. 21.—The Pall Mall Gazette this afternoon, referring to the Cape May Cup, with her center-board, says:

The excitement and mystery in yachting circles is shimmering down to a general feeling which can hardly be pronounced friendly to our American visitors.

The Times says that Satanita will defend the Cape May Cup against Vigilant. The race for the cup will take place on Sept. 8. Until that time Vigilant will not engage in any race.

Pilot Diaper, of the Cape May, was sent by Mr. Clark to the sailing Committee of the Royal Yacht Squadron, the nature of the protest against the Cape May's attack on the Cape May, outside the New York harbor, was not until then that the center-board had dropped deep down.

BRITANNIA, ON ALLOWANCE. Satanita Finishes First, but the Prince's Cutter Wins the Day.

PORTSMOUTH, Aug. 21.—In a fifty-mile race to-day, under the auspices of the Royal Albert Yacht Club, Satanita and Britannia competed.

The former crossed the finish line first, but the Prince's cutter won on time allowance.

VIGILANT IN DRY DOCK. To Be Thoroughly Examined Below Water Line To-Day.

SOUTHAMPTON, Aug. 21.—Vigilant is still in the tidal dock here.

Further examination of her center-board, its timbers and keel, which will be made to-day, and the yacht's keel will be made to-day.

NO FIGHT IN SIOUX CITY. Possibility of a Corbett-Jackson Mill in Iowa Not Credited.

The offer of a \$25,000 purse for the Jackson-Corbett fight by the Sioux City Athletic Club, has caused some sporting people with definite hopes that the battle will be contested in Iowa.

Mayor Fletcher declares that he will not permit the fight to take place within the city limits, and he believes that the Governor will not allow prize-fighting in the State.

"FITZ" OFF FOR THE SOUTH. Lesley Bow Leaves for His Training Ground at Bay St. Louis.

NEWARK, N. J., Aug. 21.—Bob Fitzsimmons and his trainer, Jim Dwyer, left for New Orleans at 4:55 o'clock yesterday.

His wife and son accompanied him. About fifty of his friends were present to give him a good send-off.

He will go to once to Bay St. Louis, Miss., to train for his battle with Dan Freedman.

Fitzsimmons, who weighed 174 pounds, in his clothes, yesterday, and anticipates little difficulty in his fight with Freedman.

DESPERATE NEGRO KILLED. He Stabbed a Constable and Was Shot Three Times.

PHILADELPHIA, Aug. 21.—A desperate colored criminal, named Edward Saxon, was shot and killed by Constable Day at Yeadon, suburb of this city, to-day while resisting arrest.

Saxon, a man of about 35 years, was sworn out for his arrest and given to Constable Day at Yeadon, where he was arrested.

Early this morning he caught Saxon at Lansdowne, and at the point of his revolver walked him to Constable Day's house.

There the negro drew a knife and attacked Day, who shot him three times in the back, making a wound two inches deep and five inches long.

Day fired again, the bullet passing through Saxon's chest, and he fell again forward with uplifted knife, and was shot in the stomach. He died a few minutes later.

EXPULSED FROM MT. ZION. Jacob Ables, One of the Founders, Bridges Suit.

Judge Beach, of the Supreme Court, to-day heard arguments upon a motion made by counsel for Jacob Ables for a writ of mandamus to compel his reinstatement as a member of Mount Zion Church, on One Hundred and Thirtieth street, near Madison avenue.

Mr. Ables was one of the founders and trustees of the church. He was expelled from the congregation on July 1, 1893, after he had been expelled.

Judge Beach reserved decision.

## UPHELD BY FLOWER.

He Dismisses the Little Monte Carlo Charges.

ALBANY, Aug. 21.—Sheriff Duffy, of Westchester County, accompanied by his counsel, arrived at the Executive Chamber at 2 o'clock this afternoon.

Answer charges of neglect of duty in not closing up a gambler's "paradise" known as Little Monte Carlo.

Counsel for the Society for the Enforcement of Criminal Law arrived a few minutes later. The Governor came in at 3:15, and announced his hearing on Mr. Gates, the representative of the Society, started by telling of evils existing in Westchester.

"That is not a matter for Executive action," said the Governor. "Have you anything to say to Sheriff Duffy's denial of the charges or as to the suit for damages now pending against him, amounting to \$30,000?"

"Well, no," replied Mr. Gates. "We—"

"Then this matter is dismissed. There are no grounds for the charges," said the Governor.

"We are here to withdraw the charges until that suit is settled," ventured Mr. Gates.

"It is dismissed before you withdraw it," retorted the Governor. "There is no foundation for these charges."

Sheriff Duffy was brought before Gov. Flower on charges preferred by the Society for the Enforcement of Criminal Law, calling for the removal of Duffy from duty in permitting the notorious gambling establishment known as Little Monte Carlo to flourish under his very nose.

It will be recalled that the exposure of the place, and the subsequent arrest of the proprietor, led to the resignation of Sheriff Duffy from duty.

At this point, an advanced "tip" was given to the press that the charges against Duffy were "dummies" were arrested.

Continued attacks by "The Evening World," however, compelled the pool-room proprietors to close the place.

On the same day when Sheriff Duffy made this raid he filed an answer, through counsel, before Gov. Flower, alleging that the charges were "dummies" were simply a telegraph office, where money was transmitted to the race tracks to be placed.

BURIED IN THE RUINS. Many Injured and Perhaps Lives Lost by Collapse of a Building.

WORCESTER, Mass., Aug. 21.—While workmen were tearing down an old brick building at the corner of Ward and Richmond streets to-day, the house collapsed, burying about a dozen children and three men in the ruins.

Four of the children were taken out badly injured, and three others with severe cuts and bruises. Workmen are still searching the ruins for bodies. The house was built by the late Mr. Sullivan, and was a fine structure.

WILLIAM SULLIVAN, aged fourteen, cut and bruised and taken to the hospital. Recovery doubtful.

CARL CRUNBERG, seventeen years old, cut and bruised about the body and nose nearly severed.

JOHN McGOVERN, aged nine years, severely injured about the chest; taken to the City Hospital.

WILLIAM WARD, ten years old, arm crushed and badly lacerated.

The house was being torn down by Charles Garrity, who gave the people the neighborhood permission to remove the old waste as he waited only the bricks. The three workmen escaped with bad bruises.

GOSSIP OF THE TURF. "Mike" Dwyer is determined to win a match race before the Jerome Park meeting is over, and to this end he has induced Matt Allen to match Pochino against Armistage over the Titan course for \$100 a side and \$1,000 added, each to carry 100 pounds.

The race will be run to-morrow. When the horses met at the same distance, but the son of Surinam has improved since then, and it looks as though he should win. With two match races down for decision and five other races to-morrow's programme at the old saddle-bags track will be an excellent one. Stonenell is in grand shape, and worked a clicking six furlongs yesterday.

"Barney" Murray raised a furor among Jerome Park yesterday by bidding up horses. Not only that, but he was actually to "hold" one from the Dwyer-Crocker combination. After Arab had won the first race, Murray began by raising the price from \$500 to \$800. George Forbes bid the necessary \$1,000, and Arab occupied his place in the race.

The race was a very close one, and waited until Armistage had won, and then again got in his work, bidding \$500 above the entered selling price.

"Grab-all" policy of several owners in entering horses to be sold for a taste of this kind of medicine, whether they might learn a lesson.

The startling reversal of form shown by Valkyrie yesterday should be investigated. A few weeks ago this colt could not get out of her own way. Yesterday she ran a cracking good race and finished second to the favorite, and she was, however, and always has an excuse ready.

Fred Littlefield rode a rattling good race on Monday. He fairly lifted the filly along in the last sixteenth.

The big bettors were down to a man on Roche. This colt is in rare good shape, and is a very good horse.

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## SPORTING MISCELLANY.

The London Pall Mall Gazette, under control of its new proprietor, and in its anxiety to outdo contemporaneous journals in adverse criticism of Vigilant and her owners, makes several erroneous statements.

These errors betray a woful or wilful lack of information regarding the topography of this harbor such as is hardly creditable to so well informed a person as W. W. Astor, who was reared in this city and who has spent much of his life in the harbor.

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## THEY DIED FOR LOVE.

A third letter, written by Julius and dated the 19th inst., has these words:

All happiness. I die the happiest man in the world. I die for love, or love of a woman that I love with all my heart and soul.

We both die happy. We die for the love of each other. I die in this life more happily than I have ever lived. Such love is undying. The body dies, but the soul? The love of true love lives forever.

Then a brief note in French addressed to Mr. H. Fournier, 34 South Fourth street. All it said was:

Pardon. I am desperate and prefer to die. JULIETTE.

Briefly surely was the note of apology to the man that married Juliette.

A letter, written in French, was as follows:

Dear Papa: I make bold to give you this little note, because it is the last time you will hear from me.

When this reaches you I shall be dead. I die happy, and it is no one's fault. Forgive me the misery I have caused you. Also this last blow. Your little daughter, who loves you.

JULIETTE Fournier.

All of the letters written by him and by her are in red ink, and bear the dates of Aug. 19 and 20, showing that for two days at least the pair had contemplated making an end of their lives.

In none of the letters is it made clear or even hinted at why love should have been fatal to them, or what stood between them and a happy realization of their affection.

Among Julius's effects was found a typewritten letter from H. T. Cale, addressed to Mrs. R. Marcus, 53 East Broadway, the date being Saturday, Aug. 19.

The letter was to a friend named Maurice, which read:

Dear Friend Maurice (Hebrew characters): I am in love, and you know how much I love Juliette. She can't live without me. She will die if I leave her, and if she dies I can't live.

A good boy, but don't swear. I can't help it. I am in love, and you know how much I love Juliette. She can't live without me. She will die if I leave her, and if she dies I can't live.

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## FOR LOVE.

That he was Juliette's husband was the only information he would give.

J. Fournier, the young wife's father, said:

"Henry Fournier is my daughter's husband. Go to him; he can tell you all the details."

"Is Henry Fournier your brother?" "I will say nothing more. Don't bother me."

Mrs. Thomas, who occupies the flat opposite the Fourniers, said:

"Mrs. Fournier was very young. She didn't know much about the world. She told me among other things that she was educated in Paris, and had not been in this country very long."

"She said her husband was her uncle, and the husband had said that he took Juliette from her father because she was not being treated well."

"One day Mr. Fournier said: 'I have married a man too old for me, and I am not happy.' She told me that Marcus was an insurance agent at Utica."

A park policeman carried the news of the tragedy to the home of the de Marcus family, 52 East Broadway.

Julius de Marcus supported his aged father and mother, and contributed to the support of his sister and two younger brothers there.

An elder brother, a furrier by trade, lived with them also and paid board.

The old mother, who completely prevailed upon her son to receive the news of her son's tragic death. She went into a stupor, and it was feared by the family that she would be stricken seriously, as she suffers from heart disease.

Miss Minnie de Marcus, a sister of Julius, told a reporter for "The Evening World" that her brother came home from Utica only last Saturday.

"He was a life insurance agent," she said, "but I don't know for what company. He has been working in Utica recently. We did not expect him until we received a letter on Friday, saying he was coming home. He came Saturday and stayed with us until yesterday morning. He told us that he was making preparations to go to London soon on business. He was cheerful when he left, and we expected him home last night."

Miss de Marcus was at first unwilling to speak about her brother's death. She said that she knew about it, but finally she told all that she knew about it.

"My brother was canvassing in Brooklyn," she said, "when he first met her. She was a married woman."

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## BASEBALL CHAT.

This is a sort of special thanksgiving day for New York. It returns thanks to Pittsburgh for donating Baltimore, and asks that the dose be repeated. Thanks are also due to old Jupiter Pluvius for holding off the game at Boston, where the leaders might still further have clinched their hold by a game with Cincinnati.

And a lady regard to the interesting fact in the bosom of the diamond for the Quakers, who so generously downed Cleveland and sent them still further along the toboggan, almost outside of any consideration as possible third row people.

While as individuals the Giants were full of kindly sympathy for Capt. Anson in his affliction, as pennant chasers they didn't think of letting up on his misery, and when they were playing with a beating game that was too much for the wild and woolly combination of cots.

After a long lapse of what is, memory for New York, the Bridgegame suddenly found their betting clothes. More than that, they donned them and pounded the ball into the outfield. The game was a home run, and the Giants were back in the lead.

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